

Communication mechanism for reporting interstate transboundary wastewater flows impacting water quality in New Mexico and Texas

Issue:

Improving timely communication between Texas Commission on Environmental Quality (TCEQ) and New Mexico Environment Department (NMED) on interstate transboundary wastewater flows.

Background:

On August 13, 2021, the El Paso Water Utility (EPWU) experienced multiple breaks to the Frontera Force Mains, forcing wastewater to be diverted to the Rio Grande at the Texas-New Mexico state line. During this event locals communicated with TCEQ, who then notified EPA about the incident and actions being taken by the TCEQ. However, there were no communications by local governmental entities or TCEQ to NMED.

From September 2021 to January 2022, eleven (11) update notifications were shared with NMED and eight (8) TCEQ, also EPA has been providing regular updates to NMED (Acting Program Manager, Point Source Reg Section, and NMED US-Mexico Border Program Staff Lead), and by means of the U.S. Mexico Binational Notification Protocol for Sunland Park, NM – Ciudad Juarez, Chihuahua in the event of transboundary sewage spills. However, during this same period there was no direct communication between NMED and TCEQ regarding the incident.

Purpose:

Improve timely communication process between Federal and State agencies on interstate transboundary flows, that occur at the Texas-New Mexico state line with the intent of early warning to the public, as well as other stakeholders that would need to take immediate actions to save lives, protect property, the environment and river flows water quality. Steps taken through this mechanism ought to provide information to States, local, tribal and Federal partners with timely information to make sound decisions regarding action items within their respective jurisdiction.

Strategy:

Develop a communication mechanism between EPA, TCEQ and NMED that would identify key agency personnel that would need to be initially notified to make appropriate agency decisions and determine if the incident needs escalation to higher management.

Roles/Responsibilities:

To be identified

Proposed information to be included in the initial notification in this communication mechanism:

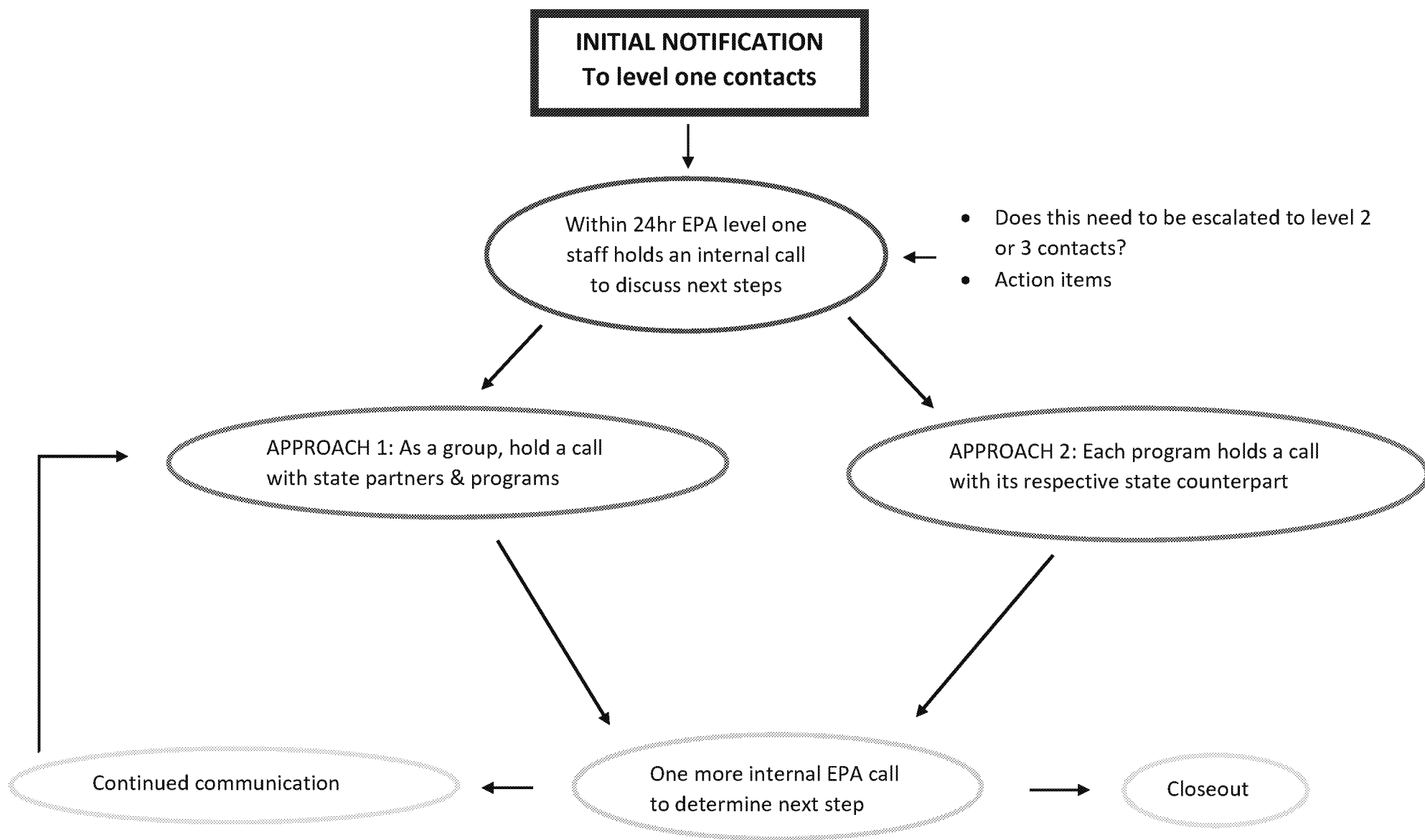
In the event of a known incident or any other event that has the potential to result in a transboundary State to State flow, the State where the event initiated shall notify the local agency (both at State and Federal) contact person, via telephone, to be followed with email.

Notification Information to Include

Notification information is to include:

- What happened?
- Where did it happen?
- What is the estimated volume of the discharge?
- What was the cause (if known)?
- When did it happen (date and time)?
- What action(s) are being or will be taken to stop the discharge?
- How long will it take to repair or accomplish corrective action to eliminate the discharge?
- And, to the extent possible, provide the details or plan for post-spill cleanup.

Proposed approaches for Notification-flow of information-diagram



Notification Contact List:

First Level recipients list – Nonmanagement staff

- **Local Utilities**, New Mexico's CRRUA, Brent Westmoreland
- **Local Utilities**, El Paso Water Utilities, John Balliew
- **NMED**
- **TCEQ**
- **EPA**
 - Maria Sisneros, Carlos Rincon
 - Enforcement Division – Bryant Smalley
 - Water Division – Leslie Rauscher, Gilbert Tellez,
 - Other?

Second Level recipients list – Management and technical program leads

- **NMED**
- **TCEQ**
- **EPA**
 - OCTEA Staff Director Robert Houston
 - Enforcement Division
 - Other?

Third Level recipients list – Upper Management (i.e., Division Directors, and others TBD)

- **NMED**
- **TCEQ**
- **EPA**
 - OCTEA Acting Director Olivia Balandran
 - Water Division Director – Charles Maguire
 - Enforcement Division Director – Cheryl Seager
 - Other?